

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

JAMES LIDESTRI,

Plaintiff,

-against-

AUDREY BURNS,

Defendant.

Case No.: 25-cv-1166

PLEASE TAKE NOTICE that, upon the accompanying Memorandum of Law, the Certification of Daniel S. Szalkiewicz dated June 9, 2025, the Declaration of Audrey Burns, dated June 9, 2025, and the exhibits annexed thereto, defendant Audrey Burns (“Defendant” or “Audrey”), by her undersigned attorneys, will move this Court at the United States District Court, Southern District of New York, 40 Foley Square, Courtroom 443, New York, New York, before the Honorable Jennifer H. Rearden, United States District Judge, for an order pursuant to Fed. R. Civ. P. 12(b)(2) and (6), dismissing the Second Amended Complaint (D.E. 17) filed by plaintiff James Lidestri (“Lidestri” or “Plaintiff”) in its entirety or, in the alternative, in part as to certain causes of action with prejudice; and further relief the Court may deem just and proper.

Dated: New York, New York
June 9, 2025

Respectfully Submitted,

By: /s/ Daniel S. Szalkiewicz

Daniel S. Szalkiewicz, Esq.

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